

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Kyl L. SMITH	}	Group Art Unit: 1655
Serial No.: 10/519,515	}	Examiner: Michele C. FLOOD
Filed: December 7, 2004	}	Confirmation No.: 2543
For: COMPOSITIONS FOR IMPROVING	}	
MENTAL PERFORMANCE	}	

**Power of Attorney by Assignee and Certification**  
**Under 37 CFR §3.73(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, the undersigned, acting on behalf of the Assignee of the entire right, title and interest in the above-identified patent application, by virtue of the Assignment recorded September 23, 2008 at Reel/Frame 021594/0242, appoint the attorneys and agents listed below to prosecute this application and transact all business with the U.S. Patent and Trademark Office in connection therewith. This appointment is to the exclusion of the inventor(s) and their attorney(s) and agent(s) in accordance with the provisions of 37 CFR 3.71.

All prior powers of attorney for this application are hereby revoked. The Assignee hereby appoints all of the registered practitioners identified by Customer Number 34055:

Perkins Coie LLP  
Patent – LA  
P.O. Box 1208  
Seattle, WA 98111-1208  
Phone: (310) 788-9900  
Fax: (310) 788-3399.

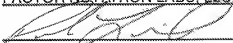
Please direct all inquiries to Joseph P. Hamilton at the above Customer Number.

Direct all telephone calls to Joseph P. Hamilton at (310) 788-3271. Address all correspondence to:

Customer No. 34055  
Perkins Coie LLP  
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In accordance with 37 CFR 3.73(b), I hereby certify that I am empowered to act on behalf of the Assignee. To the best of my knowledge and belief, title is in the Assignee, as evidenced by the Assignment noted above.

I further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, USC §1001 and that such willful false statements may jeopardize the validity of this application or any patent resulting therefrom.

ASSIGNEE: FACTOR NUTRITION LABS, LLC  
Signature:   
Typed Name: Paul Levinsohn  
Title: CEO  
Date: 7/20/10  
Address: 100 Commercial Street, Suite 200  
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